

**Custom Network Solutions, Inc.**  
210 Route 4 East, Suite 102  
Paramus, NJ 07652  
Issued by: Marc Rozar, President

Kentucky Tariff No. 1  
Original Page 1

RESALE COMMON CARRIER SERVICE

Issued: November 11, 2005

Effective: December 11, 2005

**TITLE SHEET**

**KENTUCKY**

**TELECOMMUNICATIONS TARIFF**

This tariff contains the descriptions, regulations, and rates applicable to the resale of telecommunication services provided by Custom Network Solutions, Inc. with offices at 210 Route 4 East, Suite 102, Paramus, NJ 07652.

This tariff applies for services furnished within the State of Kentucky. This tariff is on file with the Kentucky Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
12/11/2005  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)**

By   
Executive Director KYi0500

RESALE COMMON CARRIER SERVICE

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**CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<b>PAGE</b>	<b>REVISION</b>		<b>PAGE</b>	<b>REVISION</b>	
1	Original	*	21	Original	*
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3	Original	*	23	Original	*
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5	Original	*	25	Original	*
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\* - indicates those pages included with this filing.

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**SYMBOLS**

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- (C) To signify a change in regulation.
- (D) To signify a discontinued rate or regulation.
- (I) To signify an increase in rate or charge.
- (M) To signify material relocated from one page to another without change.
- (N) To signify a new rate or regulation.
- (R) To signify a reduced rate or charge.
- (T) To signify a change or regulation but no change in rate or charge.

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**TARIFF FORMAT**

- A. Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Kentucky PSC. For example, the 4th revised sheet 14 cancels the 3rd revised sheet 14.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).I.
  - 2.1.1.A.1.(a).I.(i).
  - 2.1.1.A.1.(a).I.(i).(1).
- D. Check Sheets** - When a tariff filing is made with the Kentucky PSC, an updated check sheet accompanies the tariff filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages).

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the Customer's telephone to a CNS's designated switching center or point-of-presence.

**Authorization Code** - A pre-defined series of numbers to be dialed by the Customer or End User upon access to the Company's system to notify the caller and validate the caller's authorization to use the services provided. The Customer is responsible for charges incurred through the use of his or her assigned Authorization Code

**CNS** - Custom Network Solutions, Inc.

**Commission** - Refers to the Kentucky Public Service Commission.

**Company or Carrier** - Refers to Custom Network Solutions, Inc.

**Customer** - A person, firm, partnership, corporation or other entity which arranges for the Carrier to provide, discontinue or rearrange telecommunications services on behalf of itself or others; uses the Carrier's telecommunications services; and is responsible for payment of charges, all under the provisions and terms of this tariff.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)**

**End User** - Any person, firm, partnership, corporation or other entity that uses the service of the Company under the terms and conditions of this tariff. The End User is responsible for payment unless the charges for the service utilized are paid by the Customer.

**Personal Identification Number (PIN)** - A numerical code, one or more of which may be assigned to a Customer, to enable Carrier to identify the origin of service of the Customer so it may rate and bill the call. All authorization codes shall be the sole property of Carrier and no Customer shall have any property or other right or interest in the use of any particular authorization code. Automatic numbering identification (ANI) may be used as or in connection with the authorization code.

**Subscriber** - Any person, firm, partnership, corporation, governmental agency or other entity that orders service from the Company on behalf of itself or on behalf of others. A Subscriber may, in the ordinary course of its operations, make telephones available to transient users of its premises for placing of intrastate calls. The Subscriber has a pre-existing business arrangement with the Company and may also be a Customer.

**Terminal Equipment** - Telecommunications devices, apparatus and associated wiring on the Premises of the Customer

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**SECTION 2 - RULES AND REGULATIONS**

**2.1 Undertaking of Custom Network Solutions, Inc.**

CNS's services and facilities are furnished for communications originating at specified points within the State of Kentucky under terms of this tariff.

CNS installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this rate sheet. CNS may act as the Customer's agent for ordering access connection facilities provided by other entities, when authorized by the Customer, to allow connection of a Customer's location to the CNS network. The Customer shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise provided, and are available twenty-four (24) hours per day, seven (7) days per week.

**2.2 Use**

**2.2.1** Services provided under this tariff may be used by the Customer for any lawful telecommunications purpose for which the service is technically suited.

**2.2.2** The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.

**2.2.3** A Customer may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A user may transmit any form of signal that is compatible with the Company's equipment, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.3 Limitations**

- 2.3.1** Service is offered subject to the availability of the necessary facilities and equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.3.2** CNS reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- 2.3.3** The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.3.4** All facilities provided under this tariff are directly or indirectly controlled by CNS and the Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.3.5** Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.4 Liabilities of the Company**

- 2.4.1** The liability of the Company, if any, for damages resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes omissions, interruptions, delays, errors, or other defects in transmission, or failures or defects in facilities furnished by the company in the course of furnishing service or arising out of any failure to furnish service shall in no event exceed an amount of money equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays or errors or defects in transmission occur and continue. However any such mistakes, omissions, interruptions, delays, errors or defects in transmission or service that are caused by or contributed to by the negligence or willful act of Customer, or which arise from the use of Customer-Provided Facilities or equipment shall not result in the imposition of any liability whatsoever upon the Company.
- 2.4.2** CNS shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to Acts of God, fires, flood or other catastrophes; atmospheric conditions or other phenomena of nature, such as radiation; any law, order, regulation, directive, action of request of the U.S. Government, or any other government, including state and local governments having jurisdiction over CNS or the services provided hereunder; national emergencies; civil disorder, insurrections, riots, wars, strikes, lockouts, work stoppages, or other labor problems or regulations established or actions taken by any court or government agency having jurisdiction over the Company or the acts of any party not directly under the control of the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.4 Liabilities of the Company, (Cont'd.)**

- 2.4.3** When the services or facilities of other common carriers are used separately or in conjunction with the Company's facilities or equipment in establishing connection to points not reached by the Company's facilities or equipment, the Company shall not be liable for any act or omission of such other common carriers or their agents, servants or employees.
- 2.4.4** CNS shall be indemnified and held harmless by the Customer from and against all loss, liability, damage, and expense, including reasonable attorney's fees, due to claims for libel, slander, or infringement of copyright or trademark in connection with any material transmittal by any person using the Company's services and any other claim resulting from any act or omission of the Customer relating to the use of the Company's facilities.
- 2.4.5** The Company shall not be liable for any act or omission of any other entity furnishing to the Customer facilities or equipment used with the service furnished hereunder; nor shall the company be liable for any damages or losses due in whole or in part to the failure of Customer-provided service, equipment or facilities.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.5 Billing and Payment for Service**

**2.5.1 Responsibility for Charges**

Charges for installations, service connections, moves, and rearrangements, where applicable, are payable upon demand to the Company or its authorized agent. Billing thereafter will include recurring charges and actual usage as defined in this tariff.

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer for transmission of calls via the Company. In particular and without limitation to the foregoing, the Customer is responsible for any and all cost(s) incurred as the result of:

- A.** any delegation of authority resulting in the use of his or her communications equipment and/or network services which result in the placement of calls via the Company;
- B.** any and all use of the service arrangement provided by the Company, including calls which the Customer did not individually authorize;
- C.** any calls placed by or through the Customer's equipment via any remote access feature(s);
- D.** any and all calls placed to a toll-free (e.g., 800, 888) service number provided to the Customer by the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.5 Billing and Payment for Service, (Cont'd.)**

**2.5.2 Payment for Service**

Terms of payment are subject to the rules of the PSC of Kentucky. Contested charges will be handled in accordance with 807 KAR 5:006, Section 9.

- A. All charges due by the Customer are payable to the Company or any agent duly authorized to receive such payments. The billing agent may be the Company, a local exchange telephone company, credit card company, or other billing service. Terms of payment shall be according to the rules and regulations of the agent and subject to the rules of regulatory bodies having jurisdiction. Any objections to billed charges must be promptly reported to the Company or its billing agent. Adjustments to Customers' bills shall be made to the extent that circumstances exist that reasonably indicate that such changes are appropriate.
- B. Disputes with respect to charges must be presented to the Company in writing within one hundred (120) days from the date the bill in question is issued or such bill will be deemed correct and binding on the Customer.
- C. Unless otherwise specified below, services provided by the Company are billed in arrears directly to the Customer on a monthly basis.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.5 Billing and Payment for Service, (Cont'd.)**

**2.5.3 Deposits**

The Company does not collect Customer Deposits.

**2.5.4 Advance Payments**

The Company does not collect Advance Payments.

**2.5.5 Late Payment Charge**

If any portion of the payment is not received by the Company, or if any portion of the payment is received by the Company in funds that are not immediately available, thirty (30) days following the invoice date, then a late payment penalty shall be due the Company. The late payment penalty shall be that portion of the payment not received by the date due minus any charges billed as local taxes multiplied by 1.5%. In compliance with 807 KAR 5:006, §8(3)(h), late payment fees will only be assessed once on any past due balance. Additionally penalty charges shall not be assessed on unpaid penalty charges.

**2.5.6 Return Check Charge**

The Company will assess a return check charge of up to \$25.00, whenever a check or draft presented for payment of service is not accepted by the institution on which it is written. This charge applies each time a check is returned to the Company by a bank for insufficient funds.

**2.5.7 Customer Complaints and/or Billing Disputes**

Customers have the right to refer billing disputes and any other complaints to Company at 210 Route 4 East, Suite 102, Paramus, NJ 07652, or via telephone by dialing 1-800-809-0663. If the Customer and the Company are unable to resolve the dispute to their mutual satisfaction, the Customer may file a complaint with the Kentucky Public Service Commission in accordance with the Commission's rules of procedure. The address and toll-free telephone number of the Commission is as follows:

Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602  
1-800-772-4636

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.5 Billing and Payment for Service, (Cont'd.)**

**2.5.8 Taxes and Fees**

- A.** All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items on the Customer's bill and are not included in the quoted rates and charges set forth in this tariff. To the extent that a municipality, other political subdivision or local agency of government, or Commission imposes upon and collects from the Company a gross receipts tax, occupation tax, license tax, permit fee, franchise fee, or regulatory fee, such taxes and fees shall, insofar as practicable and allowed by law, be billed pro rata to Customers receiving service from the Company within the territorial limits of such municipality, other political subdivision or local agency of government.
- B.** The Company may adjust its rates and charges or impose additional rates and charges on its Customers in order to recover amounts it is required by governmental or quasi-governmental authorities to collect from or pay to others in support of statutory or regulatory programs.

**2.5.9 Bill Format**

Bills rendered to Customers by the Company contains the following information:

Date of Bill Rendering	Company Name
Service Dates	Due Date
Past Due Date	Current Amount Due
Past Due Amount (if applicable)	Date and Time of each call
Originating location & terminating number	Call duration
Call type	Total Charges per Call
Total Charges for Company Services	Taxes
Toll Free Customer Service Number:	(800) 809-0663

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.6 Refusal or Discontinuance by Company**

The Company may refuse or discontinue service under the following conditions. Unless otherwise specified, the Customer will be given five (5) days written notice and allowed a reasonable time to comply with any rule or remedy any deficiency.

- 2.6.1** For non-compliance with and/or violation of any State or municipal law, ordinance or regulation pertaining to telephone service.
- 2.6.2** For the use of telephone service for any other property or purpose other than that described in the application.
- 2.6.3** For neglect or refusal to provide reasonable access to the Company for the purpose of inspection and maintenance of equipment owned by the Company.
- 2.6.4** For non-compliance with and/or violation of the Commission's regulations or the Company's rules and regulations on file with the Commission.
- 2.6.5** For non-payment of bills for telephone service.
- 2.6.6** Without notice in the event of Customer use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- 2.6.7** Without notice in the event of tampering with the equipment furnished and owned by the Company.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.6 Refusal or Discontinuance by Company, (Cont'd.)**

**2.6.8** Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Subscriber to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.

**2.6.9** For failure of the Customer or Subscriber to make proper application for service.

**2.6.10** For Customer's breach of the contract for service between the Company and the Customer, including posting or access requirements as specified to comply with state and federal regulations.

**2.6.11** When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

**2.7 Cancellation by Customer**

Customers may cancel service at any time, either verbally or in writing. Customers are responsible for all charges up through the actual disconnect date. Charges may be avoided by dialing another carrier's access code, or by placing calls through the Customer's presubscribed carrier.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.8 Interruption of Service**

Credit allowance for the interruption of service which is not due to the Company's testing or adjusting, negligence of the Customer, or to the failure of channels or equipment provided by the Customer, are subject to the general liability provisions set forth in 2.4 herein. It shall be the obligation of the Customer to notify the Company immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, the Customer shall ascertain that the trouble is not being caused by any action or omission by the Customer within his control, or is not in wiring or equipment, if any, furnished by the Customer. Credit allowances for interruptions of service are limited the initial minimum period charge incurred to re-establish the interrupted call.

**2.9 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

**2.10 Other Rules**

The Company may temporarily suspend service without notice to the Customer, by blocking traffic to certain cities of NXX exchanges, or by blocking calls using certain Personal Account Codes when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as service can be provided without undue risk.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.11 Responsibilities of the Customer**

The Customer is responsible for compliance with the applicable regulations set forth in this tariff as well as all rules and regulations of the state utility commission and the FCC.

**2.12 Validation of Credit**

The Company reserves the right to validate the creditworthiness of Customers and billed parties through available verification procedures. Where a Customer's creditworthiness is unacceptable to the Company, CNS may refuse to provide service.

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES**

**3.1 General**

CNS will provide intrastate interexchange long distance for communications originating and terminating within the State of Kentucky under terms of this tariff.

**3.2 Timing of Calls**

The Company does not offer time sensitive calls.

**3.3 Holidays**

The Company does not offer rate discounts for calls placed on state or federal holidays.

**3.4 Rate Periods**

The Company does not rate calls based on time of day.

**3.5 Calculation of Distance**

The Company does not rate calls based on distance.

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)**

**3.6 Switched Outbound Service**

Switched Outbound Service is designed primarily for business customers for direct dial outbound calling. Calls are billed in six (6) second increments with an initial billing period of eighteen (18) seconds. Calls originate from Customer-provided standard business or residential switched access lines.

Rate per minute:        \$0.0240

**3.7 Dedicated Outbound Service**

Dedicated Outbound Service is designed primarily for business Customers for outbound calling originating from Customer-provided dedicated access lines. Calls are billed in six (6) second increments with an initial billing period of eighteen (18) seconds.

Rate per minute:        \$0.0150

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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)**

**3.8 Switched Toll Free Service**

Switched Toll Free Service provides for incoming calls originating from any interstate or intrastate location and terminating to a customer-provided switched access line. Call charges are billed to the Subscriber rather than to the originating caller. Calls are billed in six (6) second increments with a minimum billing period of eighteen (18) seconds.

Rate per minute: \$0.240

**3.9 Dedicated Toll Free Service**

Dedicated Toll Free Service provides for incoming calls originating from any interstate or intrastate location and terminating to a customer-provided switched access line. Call charges are billed to the Subscriber rather than to the originating caller. Calls are billed in six (6) second increments with a minimum billing period of eighteen (18) seconds.

Rate per minute: \$0.0130

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By   
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**Custom Network Solutions, Inc.**  
210 Route 4 East, Suite 102  
Paramus, NJ 07652  
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**SECTION 3 - DESCRIPTION OF SERVICES AND RATES, (CONT'D.)**

**3.10 Travel Card Service**

Travel Card Service is available to Subscribers for placing calls while away from home or office. Calls are originated via a toll free access number, followed by the destination telephone number and PIN. Calls may originate from standard residential, business, hotel or pay telephone access lines and may terminate to any interstate or intrastate location. Calls are billed in six (6) second increments with a minimum call duration for billing purposes of eighteen (18) seconds.

Rate per minute: \$0.99

**3.11 Directory Assistance Service**

Directory Assistance is available to Customers of CNS. A Directory Assistance charge applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance per call charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

Rate per call: \$0.65

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**SECTION 4 - PROMOTIONS**

**4.1 Promotions - General**

From time to time the Company shall, at its option, promote subscription or stimulate network usage by offering to waive some of all of the nonrecurring or recurring charges for the Customer (if eligible) of target services for a limited duration, not to exceed 90 days, or by offering premiums or refunds of equivalent value. Such promotions shall be made available to all similarly situated Customers in the target market area. All promotions will be filed with the Commission prior to offering them to Customers.

**4.2 Demonstration of Calls**

From time to time the Company shall demonstrate service by providing free test calls of up to four (4) minutes duration over its network.

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**Custom Network Solutions, Inc.**  
210 Route 4 East, Suite 102  
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**SECTION 5 - CONTRACT SERVICES**

**5.1 General**

At the option of the Company, service may be offered on a contract basis to meet specialized requirements of the Customer not contemplated in this tariff. The terms of each contract shall be mutually agreed upon between the Customer and Company and may include discounts off of rates contained herein, waiver of recurring or nonrecurring charges, charges for specially designed and constructed services not contained in the Company's general service offerings, or other customized features. The terms of the contract may be based partially or completely on the term and volume commitment, type of originating or terminating access, mixture of services or other distinguishing features. Contract services will be available to similarly situated Customers. All contracts will be filed with the Commission for approval.

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